

THE HON'BLE SMT. JUSTICE T. MEENA KUMARI
and
THE HON'BLE SRI JUSTICE G. CHANDRAIAH

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WRIT PETITION No. 6626 of 2000
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ORDER: (Per the Hon'ble Smt. Justice T. Meena Kumari)

This writ petition is filed against the order dated 22.2.2000 in O.A. No. 359 of 1999 on the file of the Central Administrative Tribunal, Hyderabad Bench.

Heard the learned counsel for the parties and perused the material available on record.

The petitioner, who is a Turner T.No. 496 in the Defence Research and Development Laboratory, Hyderabad was charged with several allegations. Initially his services were suspended and he was removed from service on 9.8.1978. The petitioner challenged the same and the Tribunal vide orders dated 5.10.1993 in T.A. No. 27 of 1991 set aside the order of removal and remitted the matter to the disciplinary authority. Subsequently the petitioner was inflicted with the punishment of Censure and the petitioner challenged the same before the Tribunal in O.A. No. 1381 of 1996 and the Tribunal directed the respondents to pass a detailed order in accordance with the departmental rules taking note of the order of the Tribunal in T.A. 27 of 1991 and indicating the treatment of

the period in question. The respondents there upon passed Order No.DRDL/1216/201/C.Cell dated 28.12.1998 holding that the period from the date of suspension till the date of reinstatement i.e. from 24.9.1997 to 29.12.1993 shall not be treated as a period spent on duty and that the applicant shall not be paid more than the subsistence allowance/other allowances already paid to him. The petitioner questioned the said orders by filing O.A. 359 of 1999, but the Tribunal did not find any wrong in the order dated 28.12.1998 passed by the respondents and accordingly dismissed O.A. No. 359 of 1999. Aggrieved, the petitioner filed this writ petition.

Though it is contended by the learned counsel for the petitioner that the respondents erred in not treating the period from 24.9.1997 to 29.12.1993 as on today and not granting all the consequential benefits and that the Tribunal failed to consider the same, a perusal of the material available on record discloses that the respondents have followed the directions given in O.A. 1381 of 1996 while passing the order dated 28.12.1998 and have given reasons as to why the period from the date of suspension till the date of reinstatement shall not be treated as the period spent on duty. The Tribunal has considered all the aspects and rightly declined to grant the relief sought for by the petitioner in O.A. 359 of 1999. We do not find any error or legal infirmity in the order dated 22.2.2000 passed by the Tribunal warranting interference of this Court.

There are no merits in this writ petition. It is accordingly dismissed.

T. MEENA KUMARI, J.

G. CHANDRAIAH, J.

Date: 01-11-2007.

MVB.